



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,870	02/12/2004	Dennis Steven DeLorme	ROC920040005US1	6113

30206 7590 03/27/2007
IBM CORPORATION
ROCHESTER IP LAW DEPT. 917
3605 HIGHWAY 52 NORTH
ROCHESTER, MN 55901-7829

EXAMINER

KIM, PAUL

ART UNIT	PAPER NUMBER
----------	--------------

2161

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/27/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/777,870	Applicant(s) DELORME ET AL.	
	Examiner Paul Kim	Art Unit 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 16-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 16-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office action is responsive to the following communication: Amendment filed on 18 January 2007.
2. Claims 1-7, 16-21 and 22-27 are pending and present for examination. Claims 8-15 have been withdrawn.

Claim Rejections - 35 USC § 101

3. As per the rejections of claims 16-20 under 35 U.S.C. 101, Applicant's Amendment is acknowledged. Accordingly, the rejections have been withdrawn.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. **Claims 1-7, 16-20, 21 and 22-27** are rejected under 35 U.S.C. 102(b) as being anticipated by Fletcher et al (U.S. Patent No. 7,047,257, hereinafter referred to as FLETCHER), filed on 3 April 2001, published on 3 October 2002, and issued on 16 May 2006.
6. **As per independent claims 1, 16, 21 and 22**, FLETCHER teaches:

A method for maintaining a data structure corresponding to an object having a first link from a first directory and a second link from a second directory in a filesystem, the method comprising the steps of:

storing a first anchor point that references the first directory, said first directory being of a first filesystem implementation {See FLETCHER, C6:L57-67, wherein this reads over "the custom file system presents two directories which represent the two software applications that the system hypothetically wishes to access (convert_2.2 and draw_1.4)" and "subdirectory 'draw' being linked to /main/drawing/draw_1.4/x86bin"}; and

Art Unit: 2161

storing a second anchor point that references the second directory, said second directory being of a second filesystem implementation different than the first {See FLETCHER, C6:L57-67, wherein this reads over "the custom file system presents two directories which represent the two software applications that the system hypothetically wishes to access (convert_2.2 and draw_1.4)" and "subdirectory 'convert' being linked to /main/drawing/convert_2.2/x86bin"}.

7. **As per dependent claims 2, 17 and 23, FLETCHER teaches:**

The method of claim 1, wherein the object is a file {See FLETCHER, C6:L22-30, wherein this reads over "[a] symbolic link is a special file that has a pathname as its data" and "Symbolic links are a flexible means of pathname indirection and are often used to provide multiple paths to a single file. Unlike hard links, symbolic links can cross file systems and can also create links to directories"}.

8. **As per dependent claims 3, 18 and 24, FLETCHER teaches:**

The method of claim 1, wherein the object is a directory {See FLETCHER, Figure 5; and C6:L56-67, wherein this reads over "these two sub-directories will be linked to their respective locations in the original directory"}.

9. **As per dependent claims 4, 19 and 25, FLETCHER teaches:**

The method of claim 3, wherein the directory is of the first filesystem implementation {See FLETCHER, C6:L57-67, wherein this reads over "the custom file system presents two directories which represent the two software applications that the system hypothetically wishes to access (convert_2.2 and draw_1.4)" and "subdirectory 'draw' being linked to /main/drawing/draw_1.4/x86bin"}.

10. **As per dependent claims 5, 20 and 26, FLETCHER teaches:**

The method of claim 4, wherein the first link from the first directory to the object is a directory link {See FLETCHER, C6:L57-67, wherein this reads over "the custom file system presents two directories which represent the two software applications that the system hypothetically wishes to access (convert_2.2 and draw_1.4)" and "subdirectory 'draw' being linked to /main/drawing/draw_1.4/x86bin"}; and

the second link from the second directory to the object is a file link {See FLETCHER, C6:L22-30, wherein this reads over "[a] symbolic link is a special file that has a pathname as its data" and "Symbolic links are a flexible means of pathname indirection and are often used to provide multiple paths to a single file. Unlike hard links, symbolic links can cross file systems and can also create links to directories"}.

11. **As per dependent claim 6, FLETCHER teaches:**

The method of claim 1, further comprising the steps of:

receiving a request for information about the first link {See FLETCHER, C3:L57-67, wherein this reads over "a process manager will attempt to address requests"}; and

in response to the request, using the first anchor point when retrieving the information {See FLETCHER, C3:L57-67, wherein this reads over "a process manager will attempt to address requests on said custom filesystem prior to placing said requests on said main filesystem"; and C4:L15-21, wherein this reads over "responding to receipt of a request to perform an operation by: accessing said system configuration file; re-directing said requested operation to a corresponding real file location"}.

12. **As per dependent claims 7 and 27, FLETCHER teaches:**

The method of claim 1, further comprising the steps of:

receiving a request for information about the object {See FLETCHER, C3:L57-67, wherein this reads over "a process manager will attempt to address requests"};

selecting the first anchor point instead of the second anchor point to respond to the request {See FLETCHER, C3:L57-67, wherein this reads over "a process manager will attempt to address requests on said custom filesystem prior to placing said requests on said main filesystem"; and C4:L15-21, wherein this reads over "responding to receipt of a request to perform an operation by: accessing said system configuration file; re-directing said requested operation to a corresponding real file location"}.

Response to Arguments

13. Applicant's arguments filed 18 January 2007 have been fully considered but they are not persuasive.

a. **Applicant's Arguments**

i. Applicant asserts the argument that Fletcher fails to "disclose any single object or data structure that has reciprocal links back and forth with multiple directories in different filesystem implementations" (See Amendment, page 8).

ii. Applicant asserts the argument that Fletcher fails to disclose "any file in a filesystem that is linked to by directories in multiple filesystem implementations" (See Amendment, pages 10-11).

b. **Response to Arguments**

i. As per Applicant's assertion that Fletcher fails to "disclose any single object or data structure that has reciprocal links back and forth with multiple directories in different filesystem implementations," the Examiner respectfully disagrees. It is noted that, while Applicant argues that "Fletcher does not disclose any links back from the main filesystem to the custom filesystem," the features upon which applicant relies are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re*

Van Geuns, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). That is, claim 1, as recited, only provides for a first directory and a second directory, wherein a first and second anchor point reference said directories respectively. The limitations of claim 1 fail to require that the single object have reciprocal links back and forth with multiple directories.

Additionally, Applicant is directed to Figure 5 of Fletcher, specifically, the subdirectory "convert." It is noted that the custom filesystem presents the subdirectory "convert" which contains links to both "/main/drawing/convert_2.2/x86/bin" and "/main/drawing/convert_2.2/bin". It is further noted that the "bin" subdirectories of the aforementioned links is intended to correspond to an "object" as recited in claim 1. Therefore, Fletcher indeed does disclose a method wherein an object (i.e. "bin") has a first link from a first directory (i.e. "/main/drawing/convert_2.2/x86") and a second link from a second directory (i.e. "/main/drawing/convert_2.2") such that a first and second anchor point are stored (i.e. Figure 5, "/sysname/drawing/convert" contains links to both "/main/drawing/convert_2.2/x86/bin" and "/main/drawing/convert_2.2/bin").

Accordingly, the rejection of independent claims 1, 16, 21 and 22 are sustained under 35 U.S.C. 102(b) for the reasons stated above.

ii. As per Applicant's assertion that Fletcher fails to disclose "any file in a filesystem that is linked to by directories in multiple filesystem implementations," the Examiner respectfully disagrees. It is noted that column 6, lines 22-30 disclose that "[s]ymbolic links are a flexible means of pathname indirection and are often used to provide multiple paths to a single file. Unlike hard links, symbolic links can cross file systems and can also create links to directories." Additionally, the aforementioned disclosure by Fletcher further reads upon Applicant's asserted claim of having a first link and a second link from a first directory to an object be a directory link and file link respectively.

Art Unit: 2161

Accordingly, the rejection of dependent claims 2, 5, 17, 20, 23 and 26 are sustained under 35 U.S.C. 102(b) for the reasons stated above.

Conclusion

14. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Kim whose telephone number is (571) 272-2737. The examiner can normally be reached on M-F, 9am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on (571) 272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2161

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Paul Kim
Patent Examiner, Art Unit 2161
TECH Center 2100

Handwritten:
APR 11 2012
SPE TC 2100